



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Tetsuo NAGANO et al.

Group Art Unit : 1755

Appln. No : 10/519,682

(National Stage of PCT/JP2003/008585)

Examiner : Not Yet Assigned

I.A. Filed : July 7, 2003

For : FLUORESCENT PROBE

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop Amendment  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

Further to the Information Disclosure Statement filed August 15, 2005, and in accordance with the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97, and 1.98, Applicants hereby bring the following information to the attention of the Examiner, which includes information cited in a Supplementary European Search Report issued in connection with counterpart European Application No. EP 03 74 1232, mailed June 30, 2005. A copy of the Supplementary European Search Report is being submitted herewith. The Examiner is invited to review the Supplementary European Search Report to inspect the relevance indicated during European examination with respect to the documents cited therein.

- (1) EP 0 314 480 A, and family member U.S. Patent No. 5,049,673;
- (2) Rajendra Nath SEN et al., "The Condensation of Primary Alcohols with Resorcinol and Other Hydroxy Aromatic Compounds", J. Am. Chem. Soc., vol. 47, pp. 1079-1091 (1925), XP002332482;

- (3) WO 01/62755, and family members U.S. Patent Application Publication Nos. 2003/162298 A1 and 2005/064308 A1;
- (4) EP 1 260 510 A, and family members U.S. Patent Application Publication Nos. 2003/162298 A1 and 2005/064308 A1;
- (5) U.S. Patent No. 5,874,590;
- (6) JP 10-226688 A, and family member U.S. Patent No. 5,874,590; and
- (7) EP 1 069 121 A, and family member U.S. Patent No. 6,525,088 B1.

Applicants also bring the to the attention of the Examiner the below documents which are cited in the specification of the above-identified application:

- (8) U.S. Patent No. 6,903,226;
- (9) U.S. Patent No. 6,403,625;
- (10) R. KURDUKER et al., "Search for Physiologically Active Compounds", Proc. Indian. Acad. Sci. Sect. A., Vol. 57, pp. 280-287 (1963), which is cited on page 18 of the specification;
- (11) A. MINTA et al., "Fluorescent Indicators for Cytosolic Calcium Based on Rhodamine and Fluorescein Chromophores", J. Biol. Chem., Vol. 264, No. 14, pp. 8171-8178 (1989), which is cited on page 18 of the specification; and
- (12) P.K. Grover et al., "Xanthones. Part IV. A New Synthesis of Hydroxyxanthones and Hydroxybenzophenones," J. Chem. Sci. (London), pp. 3982-3985 (1955).

Applicants also bring the to the attention of the Examiner the following additional documents:

- (13) U.S. Pat. App. Publication No. 2003/0157727;

- (14) U.S. Pat. App. Publication No. 2003/0153027;
- (15) U.S. Pat. App. Publication No. 2005/0037332;
- (16) U.S. Pat. App. Publication No. 2005/0182253;
- (17) U.S. Pat. App. Publication No. 2006/0030054;
- (18) U.S. Application No. 10/531,664, which is a National Stage Application of PCT/JP2003/013179, and which published as WO 2004/040296;
- (19) U.S. Application No. 10/570,355, which is a National Stage Application of PCT/JP2004/013185, and which published as WO 2005/024049;
- (20) U.S. Pat. App. No. 11/433,691, which is a continuation of 10/994,380 which published as U.S. Pat. App. Publication No. 2005/0064308, which is a divisional of 10/203,628, and now U.S. Pat. No. 6,903,226;
- (21) U.S. Pat. App. No. 11/382,424, which is a continuation of U.S. Application No. 10/204,417 which published as U.S. Pat. App. Publication No. 2003/0153027, and which U.S. Application No. 10/204,417 is a National Stage Application of PCT/JP2001/01504, and which published as WO 01/63265;
- (22) U.S. Pat. No. 6,756,231;
- (23) U.S. Pat. No. 6,469,051;
- (24) U.S. Pat. No. 6,441,197;
- (25) U.S. Pat. App. Publication No. 2005/0123478;
- (26) U.S. Pat. App. Publication No. 2005/0130314;
- (27) U.S. Pat. App. Publication No. 2004/0147035;
- (28) U.S. Pat. App. Publication No. 2004/0043498;
- (29) U.S. Patent No. 6,013,802;

- (30) U.S. Patent No. 6,833,386;
- (31) U.S. Patent No. 6,569,892;
- (32) U.S. Patent No. 5,874,590;
- (33) U.S. Patent No. 5,648,270;
- (34) U.S. Patent No. 6,441,197;
- (35) U.S. Patent No. 6,469,051;
- (36) U.S. Patent No. 6,525,088;
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- (125) Web site of the Pharmaceutical Society of Japan, on February 1, 2003, a copy of the screenshot is enclosed. The subject matter of the screenshot was then published in an Abstract of "The 123<sup>rd</sup> Annual Congress of the Pharmaceutical Society of Japan" on March 5, 2003 for presentation No. 29[P1]I-219 entitled "Development of Fluorescent Probe Having Low Affinity for Zinc" in the 123<sup>rd</sup> Annual Congress of the Pharmaceutical Society of Japan held on March 27-29, 2003;

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Further to the U.S. Patent and Trademark Office's decision to waive the requirement under 37 C.F.R 1.98, copies of the U.S. patents and U.S. published patent applications are not enclosed herewith. However, if any copies are needed, the Examiner is respectfully requested to contact the undersigned.

Copies of the above-noted documents, except for the U.S. patents and U.S. published patent applications, are enclosed together with a duly completed Form PTO-1449. The Examiner is accordingly requested to consider each of these documents,

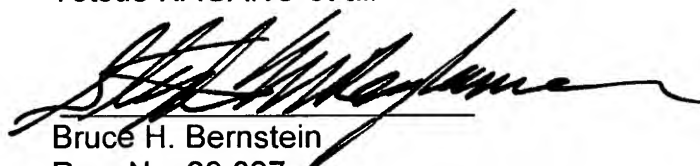
and to make them of record in this application by initialing in the appropriate spaces on the Form-1449. Applicants respectfully request that the Examiner include a copy of the initialed Form PTO-1449 with the next communication from the U.S. Patent and Trademark Office.

Applicants note that while this Supplemental Information Disclosure Statement is being filed more than three months from the filing date, Applicants have not received an action on the merits from the U.S. Patent and Trademark Office. Accordingly, consideration of the enclosed document is required under 37 C.F.R. 1.97(b)(3).

However, if an action on the merits has been mailed prior to the filing date of this Supplemental Information Disclosure Statement, Applicants hereby authorize the charging of any required fees necessary for consideration of the documents cited herein to Deposit Account No. 19-0089.

Any comments or questions concerning this application can be directed to the undersigned at the telephone number given below.

Respectfully submitted,  
Tetsuo NAGANO et al.

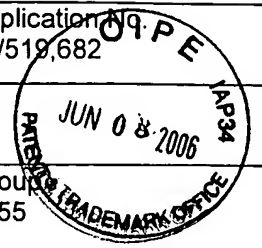


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FORM PTO-1449	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. P26478	Application No. 10/519,682
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use several sheets if necessary)		Applicant Tetsuo NAGANO et al.	
		Filing Date I.A. Filed July 7, 2003	Group 1755



## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		5 0 4 9 6 7 3	09/17/91	TSIEN et al.			
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		4 8 9 1 0 7 5	01/02/90	DAKUBU et al.			

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. P26478	Application No. 10/519,682
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use several sheets if necessary)		Applicant Tetsuo NAGANO et al.	
		Filing Date I.A. Filed July 7, 2003	Group 1755

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		4 9 6 8 6 3 1	11/06/90	DAKUBU			
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		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	
		0 3 1 4 4 8 0	05/03/89	EPO				
	0	1 / 6 2 7 5 5	08/30/01	WIPO				
		1 2 6 0 5 1 0	11/27/02	EPO				
	10	- 2 2 6 6 8 8	08/25/98	JAPAN				
		1 0 6 9 1 2 1	01/17/01	EPO				
	2004	/ 0 4 0 2 9 6	05/13/04	WIPO				
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	9	6 / 4 2 0 1 6	12/27/96	WIPO				
	9	8 / 1 5 8 3 0	04/16/98	WIPO				
	9	9 / 1 5 8 9 6	04/01/99	WIPO				

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